G. R. S. IX-5]

Previous references.

Reserve

1916.17
(Prisons)

File No. 45-16

Serial Nos. 5-10

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5-10

Part B for June 17

SUBJECT.

Cases for orders of Govt under Secn 466 of the Criminal Procedure Code

---

10) From, The Dt Magistrate Kolar

No Dis N.C 1989 Dt 14.6.17

States that Criminal lunatic Hutchappa is reported to have died on the 30th May 1917—

W D 38—GPB—50,000—24-7-16

VMasanasundaram
3117

R. S. 11] 1916.17 2396 (1

GENERAL AND REVENUE SECRETARIAT.

(Prisons)

NOTES.

File No. 45-16

FILE HEADING.

Cases for orders of Government under Section 466 of the Code of Criminal Procedure.

From

The District Magistrate, Kolar District

No.	Dated	Received
m.c. 1989	2.5.17	3.5.17

Diary No.	Enclos.	Spare Copies.	Serial No. 5

BRIEF ABSTRACT OF LETTER.

Submits for orders of Govt under Section 466 clause (2) of the Criminal Procedure Code, the records of C.C. no 26 of 1916-17 on the file of the Treasury Asst Commissioner and 1st class magistrate Kolar, in which the accused Hutchappa is found to be of unsound mind and incapable of making his defence and requests sanction to his detention in the Lunatic Asylumm.

NOTES AND ORDERS.

The accused was placed before the 1st class magistrate Kolar for the theft of a Cow. Both the District Medical Officer and the magistrate Consider that the accused is of unsound mind and incapable of

NOTES—First Sheet.

Serial No.

making his defence. Draft directing his confinement to the Lunatic Asylumm is submitted for approval.

IKL Ag. 4.5.17

By favour of kind approval
GS
9.5

Extraordinary Member

Draft approved by the Extraordinary Member
Mad
22/5
June 24/5

GS 24/5

6 Dh Dh Magistrate Kolar and Senior Sub-Ma Registrar Chittoor. The Govt-by Sup. J 4300-2. dated 26.5.17.

Sanctions that accused Hutcha be confined in the Lunatic Asyl under Sec. 466 (2) of the Cr. Pro. Code

7. From the Dh Magistrate Kolar. No. M.C. 1989-16 dated 22.5.17

In Continuation of Sl. 5 forwarded in original, the Medical Certificate & History & statement received from the D.M. Kolar and requests to Commun early order of Govt.

260

G. R. S. III-2]

General and Revenue Secretariat. Prisons File No. 45 of 1916-17

Serial No.

Submitted for information.
The Govt orders directing the Co of the accused Hutchappa Lunatic Asylums has been Cancelled in Sl. 6. No further action is necessary.

TR
28.5.17

28/5

28/5

No. M.C 1989 dated 24-5-17.

8. From the Dist magistrate reporting that Hutchappa was handed over to his relation for treatment as he was in a dying condition

9. From the Dist magistrate, No. 1989 dated 30th May 1917 reporting in continuation of Sl 8. that Hutchappa was at the request of his relatives and on the medical opinion made over to the care of his daughter.

Submitted.
The accused was committed to the Lunatic Asylums under Government order No. J. 4300-2 Pris. 45-16-2 dated 26.5.17 and under Section 466 (2) of the Code of Criminal Procedure.
Under Section 475 of the Same code the orders of Govt should have been obtained for the discharge of the

Mag H.

NOTE—Contn. sheet.

V605

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. 11[-2]

General and Revenue Secretariat.

Prisons File No. 45 of 1916-17

Serial No.

Lunatic subject to the conditions specified in that section.

(8) The release of this lunatic from the asylum has however been recommended by the District Medical Officer and the District Magistrate Kolar says that he ordered the release of the lunatic as he was in a precarious condition and as his daughter undertook the care of him.

To
11 VR

(9) The order of the District Magistrate is illegal. Under S 466 Criminal Procedure Code the Magistrate has no authority to hand over the accused to his relatives in a non bailable case, but has to obtain the order of Govt. and to give effect to the same when received. In case a friend or relative applied for delivering the accused to his custody, it is for the Govt. that should order such delivery. (5476). If approved, the District Magistrate will be requested to give effect to the provisions of the Code, and transfer the accused to the Asylum.

ES
19/6.

Extraordinary Member

(10) The illegality may be pointed out to the District Magistrate and an enquiry made as to how

WD 1233—GPB—60,000—1-12-16—S.

15

F. R. S. III-2]

General and Revenue Secretariat. | File No. of 191 .

Serial No.	
	the patient is at present, whether any security has been taken from his daughter to whom he was delivered, in accordance with section 475 (1) C.P.C. and whether any condition has been imposed as regards producing him for inspection in accordance with section 475 (2) and if so, before whom and when. If no security has been taken or condition imposed, the District Magistrate may be asked to do so, having regard to the condition of the patient and report the fact to Government.

19.6.17

7701

WD 1233—GPB—60,000—1-12-15—S.

16

R. S. III-2]

General and Revenue Secretariat.

Prisons File No. 45 of 1916. 17

Submitted for hon'ble extraordinary Member

Serial No.	
X	Prisons. 45-16. Cases for orders of Govt under section 466 (2) of the Cr. Procedure Code.
10	From the Dt Magistrate Kolar Ref. no. C. 1989 dated 14.6.17 States that Criminal lunatic Krishnappa is reported to have died on the 30th may 1917.
11	On his letter no Ref. M.C. 1989 dt 24.5.17 the Dt magistrate Kolar that Criminal lunatic Hutche was handed over to the Care daughter as he was reported in adjoing Condition.
12	On his letter no M.C. 1989 dt 30.5.17 the Dt Magistrate Kolar ~~took~~, with reference to Govt direction the Confinement of lunatics to the asylums, that lunatic was handed over Care of his relatives as already
13	The main file has been Sub to the Extraordinary Member
14	May this be Submitted in

Submitted for favr

20.6.17 Hr. perusal. No further action file summarily.

Extraordinary Member 3.7.17

Secy

District Magistrate's Office

Kolar District,

Dated Kolar the 2nd May 1917.

DIARY No. 7.Z.39/1

19 -19

SECTION Pol.

FILE No. 45-16

ITEM No. 5

From

P.F. Bowring, Esquire, J.P.,

District Magistrate, Kolar District.

To

D.M. Narasinga Rau, Esquire, B.A,. B.L.,

Secretary to the Government of Mysore,

General Department, Bangalore.

Sir,

Under Section 466 of the Criminal Proceedure Code, I have the honour to submit herewith, for the orders of Government, a copy of order made by the Treasury Assistant Commissioner and 1st -- class Magistrate, Kolar, in Criminal Case No. 26 of 1916-17 together with copies of the charge sheet, the Medical Officer's deposition and the history sheet regarding a criminal Lunatic Huchappa.

I have the honour to be,

Sir,

Your most obedient servant,

G. Narayana Rau

For District Magistrate,

& REV. DEPTS.—G.P.O.
1917

From 3 MAY 1917

The District Magistrate,
Kolar District.

To

The Secretary to the Govt. o
Mysore, Genl. Dept.,
Bangalore.

Dated

Despatched 2/5/17

Received

General No. Reference 1989
No.

Enclosure No. 1 file

Submits for favor of obtaining the orders of Govt., a copy of order made by the Treasury apisland Commissioner Kolar, in C.C. No 26 of 1916-17, together with connected papers.

GEN. & JUDICIAL DEPARTMENT
4- MAY 1917

G.R.S. VI-71]

SUBJECT Directing that accused Hutchappa be Confined in the Lunatic Asylumn under Sec. 466(2) of the Cr. Proc. Code.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191 .

Section Prison

File No. 45. 16

Serial No. 6

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 26.5.17

Signed by Mr G. Srinivasa Iyer

Read.— Letter No. M.C. 198 dated 2.5.17 from the District Magistrate, Kol forwarding for orders o Govt, the records in C. No 26 of 1916-17 on the file of the Treasury Assistant Commissione and 1st Class Magistra Kolar, in which one Hutchappa accused un Section 379 of the Indian

Order—Thereon:—No.

be

i printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the Press?

vi published in the Gazette

over.

Penal Code is Reported
to be of unsound mind
and incapable of making
his defence.

order No J 4300 2

As it appears from
the records received that
accused Hutchappa is
of unsound mind and
incapable of making his
defence, Government
are pleased to direct,
under the provisions of
section 466(2) of the code
of Criminal Procedure
that he be confined in
the Lunatic Asylum,
Bangalore.

For Secy to Govt
General Dept

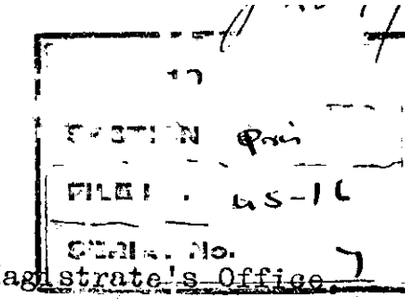
The Senior Surgeon with the Govt
District Magistrate Kolar, returning the records (Sent.
Registrar, Chief Court, for information

R. J 4303

Copied by

Examined by

Ref. to M.C.1989/16-17



(12

District Magistrate's Office,

Kolar District,

Dated Kolar, the 22nd May 1917.

P. F. B O W R I N G, Esquire.,J.P.,
District Magistrate, Kolar District.

To

D. M. NARASINGA RAO, Esquire.,B.A.,B.L.,
Secretary to the Government of Mysore,
General Department, Bangalore.

Sir,

In continuation of my letter No.M.C.1989 of the 1st instant, submitting for orders under Section 466 (2) Criminal Procedure Code a copy of order in Criminal Case No.26 of 1916-17, on the file of the Treasury Assistant Commissioner and 1st Class Magistrate, Kolar, together with copies of certain records relating to Criminal lunatic Hutchappa, I have the honor to submit herewith, in original, the Medical Certificate and History Statement, received from the -- District Medical Officer, Kolar, regarding the individual under -- reference, and to request that orders of Government may be kindly obtained and communicated in the matter.

2. The accused has been under remand in the District Lock-up at Kolar, the offence in which he is concerned being nonbailable.

Pris 25-16-5 Issue wts

I have the honor to be,
Sir,
Your most obedient servant,

District Magistrate,
Kolar District.

W.D. 0244—GPB—6,00,000—19-5-16—S.

191

From

The District Magistrate,
Kolar District.

To

The Secretary to the Government of Mysore, General Dep
Bangalore.

Dated 22nd May 1917.

Despatched

Received

General No. Ref. M.C. 1989 Encl.
No. 16-17.

Enclosure No.

Forwarding in original the medical Certificate and History statement, received from the District Medical Officer, Kolar, regarding Crl: Lunatic Muchappa requesting to obtain early Govt: in the matter.

GEN. & REV.
24 MAY 1917

GEN. & JUDICIAL
17 MAY 1917

99
3.5.1917.

Court (1)

Recd. 4.5.17

(11

FORM C.

Disease General Paralysis of the Insane

Name Hullikappah

Age 60

Sex Male

By whom sent District Lock-up- Officer at the requisition of the Treasury Asst Comm & 1st Class Magistrate Kolar &c

Date of admission 8.3.17

Temperament Melancholic

Married or single widower

Number of children 4

Occupation Lime manufacturer

Where born and residence Kolar

Religion Hindu

Whether first attack, and duration of present attack

October 1916

Cause. { Moral He is kept to himself
Physical Changes in his Brain (? organic)

Whether hereditary or otherwise not hereditary

Habits and disposition a wanderer without any purpose & timid appearance

Degree of education Nil

Natural affection perverted or not perverted

Evidence of insanity Has within the past 8 months committed ~~3 thefts~~ according to police allegation 3 thefts, but in each of them he seems to have had any deliberation before he committed the thefts, but has wandered & acted at the impulse of the moment.

Form of insanity Dementia Adventitia

Dangerous to self or others Not yet

Certificates attached

Previous treatment October 19th/16 to 27th October '16

State of bodily health ~~Bad~~ indifferent health

Any injuries from violence Nil

BANGALORE,

The 19

(Signature) Assistant Surgeon & I/C Kolar Dist

Kolar 3.5.17

3/5/17

Med. 49—L. A.]

MYSORE MEDICAL DEPARTMENT.

4/5/17 (12

FORM A.

I, the undersigned, Civil Medical Officer Kolar Dt

hereby certify that I, on the 15th day of March 1917

personally examined Mulchappah

sent by Dt Lock-up Officer at the request of Treasury asst Commissioner & 1st class Magistrate Kolar Dt

and that the said Mulchappah

is a Lunatic and a proper person to be taken charge of, and detained under care and treatment, and I have formed this opinion on the following grounds, namely—

1. Facts indicating insanity as observed by myself:—

He is frequently depressed in mind & when asked as he is restless; his memory is failing & his sleep very unsound; his answers unsound & often when spoken to he is found absent minded. His physical condition is very bad; tremors all over his body; knee jerks staggered.

As was stated in my deposition before the court, he cant be left to himself; Someone should take care of him; but if there is no one to take care of him he must be sent to a Lunatic asylum.

2. Other facts indicating insanity as communicated to me by others:—

He was never known to have committed any thefts during his youth or manhood or his wedlock; but now after his 60 owing to changes in his brains he is affected with loss of morals remembering only his acts in the time of his difficulties.

BANGALORE,

The 19

(Signature) Civil Medical Officer Kolar Dt

GPB—500—19-2-15 Kolar 3-5-17

L.M.C. 1989

1916-17 Prisons
SECTION 48-16
Class 21. 8

District Magistrate's Office,
Kolar District,
Dated Kolar, the 24th May 1917.

From

P. F. BOWRING, Esquire., J.P.,
District Magistrate, Kolar District.

To

D. M. NARASINGA RAO, Esquire., B.A.,B.L.,
Secretary to the Government of Mysore,
General Department, Bangalore.

Sir,

In continuation of my letter No.Ref.M.C.1989 dated the 19th Instant, regarding lunatic criminal Hutchappa, I have the honor to report that the relations of the accused referred to applied to me to hand him over to them for treatment, as he was said to be in a bad state of health.

2. The District Medical Officer, Kolar, to whom this petition was referred for opinion, stated that the lunatic was in a dying condition, and may, as prayed for by the relations, be handed over to them. Thereupon , I personally saw the patient in the Hospital yesterday, and finding him to be in a precarious condition, have ordered that he may be discharged from the Hospital and made over to the care of his daughter.

I have the honor to be,

S i r,

Your most obedient servant,

L Narayan

For District Magistrate,
Kolar District.

W.D. 0244—GPB—6,00,000—19-5-16—S.

31 MAY 1917 191

From

The District Magistrate,
Kolar District.

To

The Secretary to the Government of Mysore, General Dept Bangalore.

Dated 28th May 1917.

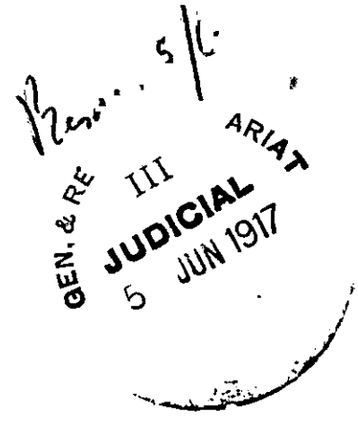
Despatched

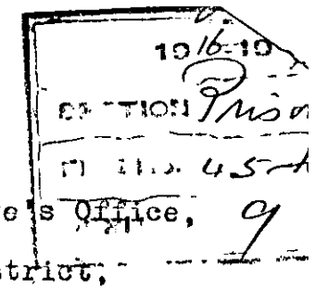
Received

General No. Ref M C. 1989
No.

Enclosure No.

Reporting that criminal Lunatic Hucheappa was handed over to his relatives for treatment as he was in a dying condition.





District Magistrate's Office,
Kolar District;

Dated Kolar, the 30th May 1917.

From

P. F. B O W R I N G, Esquire., J.P.,
District Magistrate, Kolar District.

To

D. M. NARASINGA RAO, Esquire., B.A.,B.L.,
Secretary to the Government of Mysore,
General Department, Bangalore.

Sir,

With reference to Government Order No.J.4300-2/Pris. 45-16-6 dated the 26th Instant, ordering the confinement at the -- Lunatic Asylum, Bangalore, of Criminal lunatic Hutchappa concerned in Criminal Case No.26 of 1916-17 on the file of the Treasury Assistant Commissioner and 1st Class Magistrate, Kolar, I have the honor to invite your kind reference to my letter No.Ref.M.C.1989. dated the 24th Instant, from which , you may kindly see that the person alluded to, who on personal inspection was found to be in a precarious condition, was at the request of his relations and on the medical opinion of the District Medical Officer, made over to the care or his daughter.

I have the honor to be,

S i r,

Your most obedient servant,

District Magistrate,
Kolar District.

W.D. 0244—GPB—6,00,000—19-5-16—S.

191

From

The District Magistrate,
Kolar District.

To

The Secretary to the Govt.
of Mysore, General Dept.
Bangalore.

Dated 30th May 1917.

Despatched

Received

General No. Ref m c 1989
No.

Enclosure No.

Reporting, in Continuation
of this office letter No. Ref. M.C. 1989
dated 21
inviting, that Crl: Lunatic
Asylum Chaffa, Convicted in
C.C. No: 269-916-17 on the
file of the Sessions Court
Kolar Magte, was at
the request of his relatives
& on the medical opinion
made over to the Care
his daughter.

5/6

GEN. & REV. SECRETARIAT
III
JUDICIAL
5 JUN 1917

4 S-16.

W.D. 0244—GPB—6,00,000—19-5-16—S.

16 JUN 1917 191

From

The District Magistrate,
Kolar District.

To

The Secretary to the Govt. of Mysore, General Department, Bangalore.

Dated 14th June 191.

Despatched

Received

General No. Ref M. C. 1989
No.

Enclosure No.

Reports that lunatic Venkatappa is reported to have died in his cell in Bangalore Jail on 30th May/.

GEN. & REGISTRY ASSISTANT
JUDICIAL
16 JUN 1917

DIARY
SECTION
4546

District Magistrate's Office,
Kolar District,
Dated Kolar, the 14th June 1917.

From

P. F. Bowring, Esquire., J.P.,
District Magistrate, Kolar District.

To

D. M. Narasinga Rao, Esquire., B.A.,B.L.
Secretary to the Government of Mysore,
General Department, Bangalore.

Sir,

In continuation of my letter No.Ref.M.C.1989 dated 31st May 1917, inviting reference to my letter No.Ref.M.C.1989 dated 24th May 1917, reporting that Criminal lunatic Hutchappa was made over to the care of his daughter as he was found, on my personal inspection, in a precarious condition in the Hospital, I have the honor to report that lunatic Hutchappa is reported to have died in his Son-in-law's house, on 30th May 1917.

I have the honor to be,
S i r,
Your most obedient servant,

For District Magistrate,
Kolar District.